

FILED

SEP 21 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS VENEGAS,

Defendant.

No. CR05-0308 DLJ

**Stipulation and [Proposed] Order
Continuing Sentencing Date from
October 7, 2005 to October 28, 2005**

STIPULATION

The undersigned parties in this case stipulate:

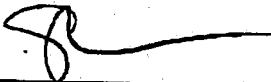

This matter is set for sentencing on October 7, 2005. The parties stipulate that the sentencing should be continued to October 28, 2005 to enable U.S. Probation adequate time to prepare the probation report. By her signature below, undersigned defense counsel represents that U.S. Probation Officer Christina Carruba was unable to attend the scheduled probation interview on August 5, 2005 due to a last-minute illness, and probation and the defense were not able to find another time to complete the interview until August 26, 2005. Thus, additional time was necessary to prepare the draft presentence report. USPO Carruba has told defense counsel that she is available on October 28, 2005.

1 (2) AFPD Shawn Halbert is transferring Mr. Venegas' case to AFPD Hilary Fox, who will
2 represent Mr. Venegas for the duration of the case.

3 IT IS SO STIPULATED:

4 DATED: 8/29/05

6 DATED: 9/1/05



Shawn Halbert
Assistant Federal Public Defender

Kimberly Briggs
Assistant United States Attorney

9 **ORDER**

10 For good cause shown, IT IS HEREBY ORDERED that the sentencing date in the above-
11 referenced matter is continued from October 7, 2005 to October 28, 2005.

12 IT IS SO ORDERED.

13 DATED: 9-21-05


D. Lowell Jensen
United States District Judge